

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 257

In Senate, Feb. 6, 1913.

Came from the House referred to the Committee on Legal Affairs, and on motion by Senator Smith of Penobscot laid on the table for printing pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to incorporate Machias Valley Light & Power
Company.

Be it enacted by the People of the State of Maine, as follows :

Section 1. Edward B. Curtis and Ralph Bailey of Machias, George F. West and Maynard S. Bird of Portland, and Walter J. Gilpatrick of Saco, all in the state of Maine, their associates, successors and assigns are hereby made a body corporate by the name of Machias Valley Light & Power Company with all the rights and privileges and subject to all the obligations incident to corporations organized under the general law, except as otherwise herein provided.

Sect. 2. The location and principal office of said corporation shall be in the town of Machias in Washington county and said corporation may establish other offices and places of business as it shall deem necessary or convenient.

Sect. 3. The capital stock of said corporation shall be fixed as the stockholders from time to time determine, but shall not exceed three hundred thousand dollars, and shall be divided into shares of the par value of one hundred dollars each, of such classes as the shareholders may determine. It may purchase, hold and convey real estate and personal property as it shall find necessary for its business.

Section 4. The purposes of said corporation are to make, generate, sell, distribute and supply electricity for lighting, heating, manufacturing, power or mechanical purposes in said Washington county with all rights in respect thereto incident to similar corporations organized under general law, but subject to the limitations hereinafter expressed. Said corporation shall have the right to carry on the business for which it is chartered in the towns of Machias, East Machias and Machiasport in said county provided it shall first acquire by purchase the plant, property, franchise, rights, privileges and locations of Machias Electric Company, a corporation organized under general law and authorized to engage in the electric lighting and power business in said towns, and said Machias Electric Company is hereby authorized to sell and convey its said franchise, rights, plant and estate. Said corporation is also authorized to acquire by

17 purchase or lease and to own, hold and operate any other
18 electric light or power company or plant doing business or
19 authorized to do business in said county, and the owners
20 thereof may so sell and convey the same with all rights,
21 property, privileges and franchises thereto pertaining. Upon
22 acquiring the rights, properties, privileges and franchises of
23 said Machias Electric Company or of any other company,
24 corporation or plant which it is hereunder authorized to
25 acquire, said Machias Valley Light & Power Company shall
26 have, hold, exercise and enjoy the same for its own uses
27 and purposes as though originally and expressly granted to
28 it. But said corporation shall not sell, distribute or supply
29 electricity, except so far as may be allowed by general law
30 or this act in or to any city or town in said county in or to
31 which another person, firm or corporation is legally doing
32 an electric lighting or power business, or is authorized so
33 to do, without the consent of such other person, firm or cor-
34 poration. Any person, corporation, railroad company or
35 municipality is hereby authorized to contract with said cor-
36 poration for electric current subject to the limitations above
37 set forth.

Sect. 5. Said corporation is also hereby authorized to ac-
2 quire by purchase the plant, property, shares of stock, rights
3 and franchise of Machias Water Company, and said water
4 company is hereby authorized to sell and convey the same,
5 and upon making such purchase said corporation may own,
6 hold, exercise and enjoy all the rights, powers and privileges

7 pertaining to said water company by virtue of the charter
8 of said company, or general law, as though originally and
9 expressly granted to said water company, and shall per-
10 form all duties, service, contracts, and obligations of said
11 water company, and may merge said company with it.

Sect. 6. All claims, contracts, rights and causes of action
2 either at law or in equity by or against any corporation ac-
3 quired under this act may be prosecuted or defended by said
4 Machias Valley Light & Power Company in like manner
5 and effect as if such acquisition had not been made, and all
6 obligations, duties and service imposed by law or contract
7 upon the corporation so sold and acquired shall become the
8 duties and obligations of said Machias Valley Light & Power
9 Company, and shall be performed by it.

Sect. 7. Said corporation may construct and maintain its
2 lines to obtain, transmit and distribute electric current in,
3 over, along, under and across highways and public roads
4 subject to the reasonable regulation and permit by the mu-
5 nicipal officers of the towns wherein such lines are located
6 as provided by general law.

Sect. 8. Said corporation at its own expense, without un-
2 necessary delay, shall remove any and all obstructions in
3 any public way made in erecting or laying its lines, and
4 cause earth disturbed to be properly replaced. It shall not
5 obstruct or impair the use of any public or private drain or
6 gas pipe, sewer, telegraph, telephone or railroad wire, light
7 or power wires, but may cross, or when necessary change

8 the direction of any private wire or pipe, drain or sewer in
9 such manner as not to obstruct or impair the use thereof,
10 being responsible for any injury occasioned thereby in an
11 action on the case.

Sect. 9. Said corporation may issue its bonds upon such
2 rates and time as it deems expedient, and in such amount
3 as may be required for the objects and purposes authorized
4 by this act, and may secure said bonds, or any bonds given
5 in renewal thereof, by proper mortgages upon any part or
6 all of its franchises and properties. Said corporation is
7 hereby authorized to guarantee the payment of principal
8 and interest, or either, of the bonds or other obligations of
9 other corporations which it may acquire under this act, and
10 vote any stock it may so acquire.

Sect. 10. Said corporation shall be subject to all duties
2 and restrictions imposed on corporations by chapter two
3 hundred and forty-four of the Public Laws of 1909 restrict-
4 ing the transmission of electric current beyond the confines
5 of the state.